

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2015 DEC -3 AM 9:32

EDWIN ISRAEL LEAL RAX,  
Institutional ID No. 34181-379,

Plaintiff,

V.

GLOBAL EXPERT IN OUTSOURCING,  
*et al.*,

Defendants.

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DEPUTY CLERK\_

CIVIL ACTION NO.  
1:15-CV-00016-P-BL

*et al.*,

Assigned to U.S. Magistrate Judge

## REPORT AND RECOMMENDATION

Plaintiff Edwin Israel Leal Rax, acting *pro se*, filed a handwritten civil rights complaint pursuant to 42 U.S.C. 1983 on January 20, 2015, and was subsequently granted permission to proceed *in forma pauperis*. By Order dated October 2, 2015, this Court determined that Plaintiff failed to provide sufficient information for this Court to conduct the judicial screening required by 28 U.S.C. § 1915 and ordered Plaintiff to file an Amended Complaint on the § 1983 form provided by the Clerk within twenty (20) days from the date of the Order. Plaintiff was specifically admonished that his failure to file the Amended Complaint could result in the dismissal of his complaint for want of prosecution.

Plaintiff failed to timely file the Amended Complaint; therefore, by Order dated October 29, 2015, this Court again ordered Plaintiff to file an Amended Complaint on the § 1983 form provided by the Clerk within fourteen (14) days from the date of the Order. Plaintiff was specifically admonished that the failure to file the Amended Complaint would result in the dismissal of this complaint for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b) without further notice.

As of this date, Plaintiff has failed to file the Amended Complaint on the § 1983 form provided by the Clerk.

For the foregoing reasons, it is RECOMMENDED that Civil Action No. 1:15-CV-00016-P-BL and all claims alleged therein be DISMISSED WITHOUT PREJUDICE for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b).

A copy of this Report and Recommendation shall be served on all parties in the manner provided by law. Any party who objects to any part of this Report and Recommendation must file specific written objections within 14 days after being served with a copy. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). In order to be specific, an objection must identify the specific finding or recommendation to which the objection is made, state the basis for the objection, and specify the place in the magistrate judge's report and recommendation where the disputed determination is located. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United States Auto. Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1), *as recognized in ACS Recovery Servs., Inc. v. Griffin*, 676 F.3d 512, 521 n. 5 (5th Cir. 2012).

SO ORDERED.

Dated December 3, 2015.

  
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E. SCOTT FROST  
UNITED STATES MAGISTRATE JUDGE